

JUL-14-06 09:41

FROM-BEUSSE WOLTER ET AL

4079267720

T-613 P.01/08 F-468

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TO : REFUNDS
COMPANY : USPTO/Commissioner for Patents
FAX No. : 1-571-273-6500
No of PAGES : 8(including cover sheet)
FROM : Joseph Fischer
DATE : July 14, 2006
RE : Serial Number 09/981,685
ATTY. DOCKET NO: 10524-003

VIA FACSIMILE ONLY

3RD TRANSMISSION

Please see attached Request for Refund as previously forwarded to you via facsimile on March 17, 2005 and again on May 3, 2006.

Your prompt attention is requested.

Sincerely,

Kathy Tissue
Legal Assistant to Joseph Fischer

07/25/2006 RCLEMONS 00000004 09981685

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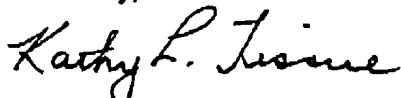
TO : MAIL STOP 16
COMPANY : USPTO
FAX No. : 703-872-9306
No of PAGES : 3 (including cover sheet)
FROM : Joseph Fischer, Reg. No. 51,210
DATE : March 17, 2005
RE : Serial No.: 09/981,685
ATTY. DOCKET NO: 10524-003

VIA FACSIMILE ONLY

Attached, please find the following for your consideration:

Request for Refund Based on Later Establishment of Small Entity Status, In accordance with and Under 37 CFR 1.26, 1.27 and 1.28.

Yours truly,



Kathy Tissue
Legal Assistant to Joe Fischer

Certificate of Transmission

I hereby certify that this correspondence is being
facsimile transmitted to the United States Patent and
Trademark Office, Fax No. 703-872-9306
on March 17, 2005.

Kathy L. Tissue
Kathy L. Tissue

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Frank L. Graham, et al.
Examiner : Vogel, Nancy S.
Art Unit : 1636
Docket No. : 10524-003
Serial No. : 09/981,685
Filed : October 17, 2001
For : ADENOVIRUSES FOR CONTROL OF GENE EXPRESSION

Mail Stop 16
Director of the U.S. Patent
And Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

REQUEST FOR REFUND BASED ON LATER ESTABLISHMENT OF SMALL ENTITY
STATUS, IN ACCORDANCE WITH AND UNDER 37 CFR 1.26, 1.27 AND 1.28

In accordance with and under 37 CFR 1.27(c), Applicant's Attorney hereby attests to the fact that the Applicant is a small business concern that is a small entity, and is therefore entitled to small entity status. Accordingly, the captioned application, U.S. Serial No. 09/981,685, is entitled to small entity status, and as such, is further entitled to reduced patent fees pursuant to 35 USC 41(h).

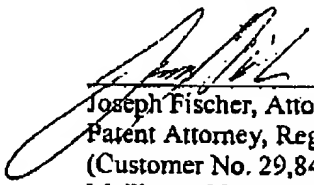
On January 4, 2005, Applicant inadvertently paid the Issue Fee as a large entity. Accordingly, in accordance with and under 37 CFR 1.28(a), Applicant hereby requests a refund in the amount of the difference between what was paid and what was properly due as a small entity on January 4, 2005. Applicant believes the difference due for refund is \$700.00.

This request for refund is being requested within the three-month period as defined under 37 CFR 1.28(b)(1).

It is believed that all requirements for this request for refund under 37 CFR 1.28 are met by this communication. If there is any deficiency in this request, or if any questions arise or any clarification is needed, a call to the undersigned within the three-month period is respectfully requested.

Docket No: 10524-003
Application Serial No. 09/981,685

Respectfully submitted,

 3/17/2005
Joseph Fischer, Attorney for Applicant
Patent Attorney, Registration No. 51,210
(Customer No. 29,847)

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JUL-14-06 09:42

FROM-BEUSSE WOLTER ET AL

4079267720

T-613 P.05/08 F-468

MEMORY TRANSMISSION REPORT

TIME : MAR-17-05 11:09
TEL NUMBER: 4079267720
NAME : BEUSSE BROWNLEE ET AL

FILE NUMBER : 497
DATE : MAR-17 11:08
TO : 917038728306
DOCUMENT PAGES : 03
START TIME : MAR-17 11:08
END TIME : MAR-17 11:08
SENT PAGES : 03
FILE NUMBER : 497

*** SUCCESSFUL TX NOTICE ***

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TO : MAIL STOP 16
COMPANY : USPTO
FAX NO. : 703-872-8308
NO OF PAGES : 3 (including cover sheet)
FROM : Joseph Fischer, Reg. No. 51,210
DATE : March 17, 2005
RE : Serial No.: 09/081,683
ATTY. DOCKET NO.: 10024-003

VIA FACSIMILE ONLY

Attached, please find the following for your consideration:

Request for Refund Based on Later Establishment of Small Entity Status. In accordance with and Under 37 CFR 1.26, 1.27 and 1.28.

Yours truly,

Kathy L. Tissue

Kathy Tissue
Legal Assistant to Joe Fischer

Auto-Reply Facsimile Transmission



TO:

Fax Sender at 4079267720

Fax Information

Date Received:

3/17/2005 11:08:51 AM [Eastern Standard Time]

Total Pages:

3 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

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JUL-17-06 11:08 FROM-BEUSSE WOLTER ET AL 4079267720 T-613 P.06/08 F-468	
BEUSSE BROWNLEE WOLTER MORA & MAIRE, P.A.	
JAMES R. BEUSSE JAMES R. BROWNLEE JOHN T. WOLTER JOHN G. MORA JOHN A. MAIRE 100 N. GARDEN STREET, SUITE 2500 TAMPA, FLORIDA 33602 TEL: (813) 528-7700 FAX: (813) 528-7700 WWW.BEUSSE.COM	Q. EDWARDS 100 N. GARDEN STREET, SUITE 2500 TAMPA, FLORIDA 33602 TEL: (813) 528-7700 FAX: (813) 528-7700 WWW.BEUSSE.COM
TO : COMPANY : FAX No : No of PAGES : FROM : DATE : RE : ATTN DOCKET NO. :	M.A.D. STOP 16 USPTO 703-672-0706 2 (including cover sheet) Joseph Fischer, Reg. No. 51,210 March 17, 2005 Serial No. 09/281,003 1052-003
VIA FACSIMILE ONLY	
Attached, please find the following for your consideration: Request for Reexamination Based on Later Establishment of Small Entity Status, in accordance with 37 CFR 1.301, 1.37 and 1.38	
Yours truly, Kathy Laine Legal Assistant to Joe Fischer	
PAGE 10 * RCVD AT 7/17/2006 11:08:51 AM [Eastern Standard Time] * SVR:USPTO-EFXXF-1/18 * DNIS:2736500 * CSID:4079267720 * DURATION (mm:ss):02:16	

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TO : REFUNDS
COMPANY : USPTO/Commissioner for Patents
FAX No. : 1-571-273-6500
No of PAGES : 6 (including cover sheet)
FROM : Joseph Fischer
DATE : May 3, 2006
RE : Serial Number 09/981,685
ATTY. DOCKET NO: 10624-003

VIA FACSIMILE ONLY

Please see attached Request for Refund as previously forwarded to you via facsimile on March 17, 2005.

Your prompt attention is requested.

Sincerely,

Kathy Tissue

Legal Assistant to Joseph Fischer